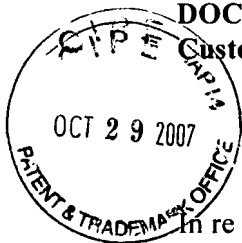


DOCKET NO. BA0446 (NORT10-00248)

PATENT

Customer No. 33000

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of: : Da-Hai Ding

Serial No. : 09/418,161

Filed : October 13, 1999

For : MULTICAST SWITCHING IN A DISTRIBUTED  
COMMUNICATION SYSTEM

Group No. : 2616

Examiner : C.G. Shah

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

Sir:

The undersigned hereby certifies that the following documents:

1. Status Inquiry (w/copy of date-stamped postcard confirming receipt of Petition to Revive and Communication issued by the USPTO mailed September 15, 2004); and
2. A postcard receipt;

relating to the above application, were deposited as "First Class Mail" with the United States Postal Service, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 10/25/07.

Date: 10/25/07

Kathy Cedar  
Mailer

Date: 10/25/2007

Robert D. McCutcheon  
Robert D. McCutcheon  
Reg. No. 38,717

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E-mail: [rmccutcheon@munckbutrus.com](mailto:rmccutcheon@munckbutrus.com)

DOCKET NO. BA0446 (NORT10-00248)

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Alexandria, VA 22313-1450

Sir:

**STATUS INQUIRY**

A Petition for Revival (Unintentional) was filed in the U.S. Patent and Trademark Office on January 30, 2004, as indicated on the attached file-stamped copy of the postcard. Applicant received a communication from the U.S. Patent and Trademark Office (mailed September 15, 2004) in which our Petition was granted (copy enclosed).

We would appreciate receiving a status as to when we can expect to receive the next Office Action.

Respectfully submitted,

MUNCK BUTRUS, P.C.

Date: 10/25/2007

  
Robert D. McCutcheon  
Registration No. 38,717

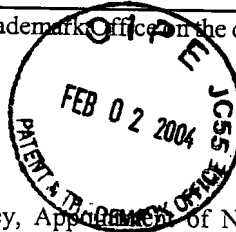
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email: [rmccutcheon@munckbutrus.com](mailto:rmccutcheon@munckbutrus.com)



Mailed: January 30, 2004 *Express Mail Cert. #EL972876905US*  
In re. Application of: Da-Hai Ding  
Serial No.: 09/418,161  
Filed: October 13, 1999  
Title: MULTICAST SWITCHING IN A DISTRIBUTED COMMUNICATION  
SYSTEM  
Docket No.: BA0446 (NORT10-00248)

The following documents were received in the U.S. Patent and Trademark Office on the date stamped below:

- 1) Certificate of Mailing Post Office Express Mail;
- 2) Petition for Revival (Unintentional);
- 3) Check in the amount of \$1,330.00 for the revival fee;
- 4) Fee Transmittal for FY 2004 (in duplicate);
- 5) Statement in Support of Petition to Revive;
- 6) Combined Revocation of Previous Power of Attorney, Appointment of New Attorneys, and Statement Under 37 C.F.R. 3.73(b);
- 7) Utility Patent Application (Continuation) Transmittal;
- 8) Copy of Patent Application (38 pages), Informal Drawings (17 sheets) and Declaration and Power of Attorney (3 pages) as filed in parent Appl. S/N 09/418,161 on October 13, 1999;
- 9) Copy of Combined Revocation of Previous Power of Attorney, Appointment of New Attorneys, and Statement Under 37 C.F.R. 3.73(b) as filed in parent Appl. S/N 09/418,161;
- 10) Preliminary Amendment; and
- 11) Statement of Non-Authorization to Charge Additional Fees with Respect to the Continuation Application filed Concurrently Herewith.



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SEP 15 2004

OFFICE OF PETITIONS

ON PETITION

In re Application of  
Da-Hai Ding  
Application No. 09/418,161  
Filed: October 13, 1999  
Attorney Docket Number: BA0446C(NORT10-00386)

This is a corrected decision on the petition under 37 CFR 1.137(b),<sup>1</sup> filed February 2, 2004, to revive the above identified application. The decision mailed February 11, 2004 is hereby **vacated**.

The petition is **GRANTED**.

This application became abandoned for failure to timely reply to the non-Final Office Action mailed December 3, 2002. A shortened statutory period of three months was set for replying to the non-Final Office Action. Accordingly, a Notice of Abandonment was mailed October 21, 2003.

A review of the file reveals that with the petition filed February 2, 2004, a continuation application was filed in response to the non-Final Office Action mailed December 3, 2002.

Since this application is being revived for purposes of continuity only and since continuity has been established by this decision reviving the application, the application is again abandoned in favor of the continuing application filed February 2, 2004, pursuant to the provisions of 37 CFR 1.53(b).

This application is being forwarded to Technology Center 3713 and the continuing application filed February 2, 2004 has been sent to the Office of Initial Patent Examination for processing.

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (703) 305-4497.

*Patricia Faison-Ball*

Patricia Faison-Ball  
Senior Petitions Attorney  
Office of Petitions

RECEIVED

SEP 17 2004

DAVIS MUNCK

<sup>1</sup>Effective December 1, 1997, the provisions of 37 CFR 1.137(b) now provide that where the delay in reply was unintentional, a petition may be filed to revive an abandoned application or a lapsed patent pursuant to 37 CFR 1.137(b). A grantable petition filed under the provisions of 37 CFR 1.137(b) must be accompanied by:

(1) the required reply, unless previously filed. In a nonprovisional application abandoned for failure to prosecute, the required reply may be met by the filing of a continuing application. In a nonprovisional application filed on or after June 8, 1995, and abandoned for failure to prosecute, the required reply may also be met by the filing of a request for continued examination in compliance with § 1.114. In an application or patent, abandoned or lapsed for failure to pay the issue fee or any portion thereof, the required reply must be the payment of the issue fee or any outstanding balance thereof. In an application abandoned for failure to pay the publication fee, the required reply must include payment of the publication fee.

(2) the petition fee as set forth in 37 CFR 1.17(m);

(3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional; and

(4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required pursuant to 37 CFR 1.137(c)).